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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/972,382	ERIKSSON, PAR	
	Examiner	Art Unit	
	Shawki S Ismail	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 04 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-30 are presented for examination.

Applicant's claim for foreign priority is acknowledged.

The references in IDS form No. 1449 have been considered.

Claim Rejections - 35 USC §102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-2, 4-5, 8-16, and 27-29 are rejected under 35 U.S.C. 102(e) as being anticipated by **Lortz et al.**, (Lortz) U.S. Patent No. **6,505,243**.

4. As to claims 1 and 12 Lortz teaches a communication device operable to configure settings related to a function supported by the communication device, said communication device comprising:

an electronic storage medium storing instructions to enable the communication device to (col. 2, lines 55-58):

transmit an indication of needed configuration information to a management server (Fig. 3 step 172, col. 4, line 6 – col. 5, line 15); and

receive a response from said management server, said response including said needed configuration information required to configure said

Art Unit: 2155

communication device to allow for use of said function (Fig. 3 step 174, col. 5, lines 19-21, col. 6, lines 29-35).

5. As to claims 2 and 13 Lortz teaches the communication device of claim 1, wherein said electronic storage medium transmits said indication in response to a request received from said management server for said indication of said configuration information needed to allow operation of said function (col. 6, lines 39-50).

6. As to claims 4 and 14 Lortz teaches the communication device of claim 1, wherein the indication of the needed configuration information includes an identification of a plurality of parameters and an indication of a required format for the plurality of parameters (col. 6, lines 28-38).

7. As to claim 5, Lortz teaches the communication device of claim 1, wherein the indication of the needed configuration information transmitted from the communication device comprises an address of a server that stores an identification of a plurality of parameters and an indication of a required format for the plurality of parameters (col. 6, lines 39-50, col. 6, lines 62-66).

8. As to claim 8, Lortz teaches the communication device of claim 1, wherein the communication device comprises a wireless device (col. 2, lines 24-31).

9. As to claims 9 and 15 Lortz teaches the communication device of claim 1, wherein said indication includes an identification of one of the type and manufacturer of the communication device (col. 6, lines 51-61).

10. As to claims 10 and 16, Lortz teaches the communication device of claim 1 wherein said communication device transmits said indication in response to

Art Unit: 2155

one of a power up of the communication device and a user menu selection (col. 2, lines 58-64).

11. As to claim 11, Lortz teaches the communication device of claim 1 further comprising a control unit for reading the instructions from the electronic storage medium and executing the instructions (col. 4, lines 54-65).

12. As to claim 27, Lortz teaches a method for enabling a management system to learn at least one requirement of an unknown function, said method comprising:

determining whether at least one of a device and a function identified in a message received by the management system is unknown (Fig. 3 step 172, col. 4, line 6 – col. 5, line 15);

requesting information relating to the at least one of the device and the function, after determining that at least one of the device and the function is unknown (Fig. 3 step 172, col. 4, line 6 – col. 5, line 15);

receiving said requested information from said device (Fig. 3 step 172, col. 4, line 6 – col. 5, line 15);

determining a set of configuration parameters necessary to use the at least one of the unknown function and the unknown device in response to said received information; and sending the set of configuration parameters to said device (col. 6, lines 28-38).

13. As to claim 28, Lortz teaches the method of claim 27 further comprising the step of initializing at least one setting of said device according to the set of configuration parameters (col. 6, lines 28-38).

Art Unit: 2155

14. As to claim 29, Lortz teaches the method of claim 27 further comprising the steps of:

building a user interface, in response to the received information, for entry of the set of configuration parameters (col. 5, line 63 – col. 6, line 8); and

receiving an entry of the determined set of configuration parameters from an operator using said user interface (col. 5, line 63 – col. 6, line 8).

15. Claims 30 is rejected under 35 U.S.C. 102(e) as being anticipated by **Fascenda** (Fascenda) U.S. Patent No. **6,560,604**.

16. As to claim 30, Fascenda teaches a control unit for configuring settings related to a function supported by a communication device, said control unit operable to:

control a transceiver to transmit an indication of needed configuration information to a management server (Fig. 9A, col. 14, lines 48-62); and

receive via said transceiver a response from said management server, said response including the needed configuration information required to configure the communication device to allow for use of said function (Fig. 9B, col. 15, lines 48-56).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Art Unit: 2155

Patentability shall not be negated by the manner in which the invention was made.

18. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lortz et al.**, (Lortz) U.S Patent No. **6,505,243** and in view of **Ludtke** U.S. Patent No. **6,799,205**.

19. As to claim 3, Lortz teaches the communication device of claim 2 as shown above. Lortz does not explicitly teach wherein the request received from the management server is in response to one of an attempt to use said function on the communication device and a setup request sent from the communication device.

Ludtke teaches providing distributed help and configuration information for a plurality of consumer electronic devices in an audio/video network. Ludtke teaches a notifying a help system when a device adds a new feature such as a snap on module (col. 3, lines 36-41).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Ludtke into the invention of Lortz in order to make the system user-friendlier. The system will be able to detect and help configure new devices that are introduced into the system.

20. Claims 17-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lortz et al.**, (Lortz) U.S Patent No. **6,505,243** and in view of **Fink et al.**, (Fink) U.S. Patent No. **6,574,729**.

21. As to claim 17, Lortz teaches a method of for automatically retrieving installation instructions, including, for example, configuration data from local and

Art Unit: 2155

remote locations for devices attached to a network, so as to assist in the installation (configuration) of such devices.

Lortz teaches a management server operable to receive, from said communication device, an indication of configuration information pertaining to said previously unknown function (Fig. 3 step 172, col. 4, line 6 – col. 5, line 15); adapt to enable use of said previously unknown function in response to the received indication of said configuration information (Fig. 3 step 174, col. 5, lines 19-21, col. 6, lines 29-35)

Lortz does not explicitly teach storing a list of communication devices and configuration information pertaining to communication devices and updating said list of communication devices and configuration information to include said previously unknown function in response to the received indication of said configuration information.

Fink teaches a method and apparatus for remotely identifying software and software versions using a maintained software audit file. The system management tool (SMT) performs an inventory scan of the software on each network node and obtains a list of properties for each file, such as the name and the file size of each file. A targeted query is automatically transmitted to a sample of the user population having the unknown file. The target query requests header information for the unknown file. In this manner, previously unknown files, once identified, can be added to the software audit file (see abstract).

Art Unit: 2155

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Fink into the invention of Lortz in order to make the system more efficient. The system will be able to keep track of all devices and have up to date information on each device.

22. As to claim 18, Lortz teaches the management system of claim 17, wherein said management server is further operable to:

receive a request for configuration data for said previously unknown function from a particular communication device (Fig. 3 step 172, col. 4, line 6 – col. 5, line 15); and

transmit a request to said communication device for said indication of configuration information related to said previously unknown function, wherein said indication of said configuration information is received in response to said request (Fig. 3 step 174, col. 5, lines 19-21, col. 6, lines 29-35).

23. As to claim 19, Lortz teaches the management system of claim 18, wherein said communication device transmits said indication of said configuration information to said management server in response to said request (col.6, lines 39-50).

24. As to claim 20, Lortz teaches the management system of claim 17, wherein said indication of configuration information comprises an address of a server associated with the previously unknown function (col. 6, lines 39-50, col. 6, lines 62-66).

25. As to claim 21, Lortz teaches the management system of claim 20, wherein said management server further operates to retrieve data relating to the

Art Unit: 2155

previously unknown function from the server at said address (col. 6, lines 39-50, col. 6, lines 62-66).

26. As to claim 22, Lortz teaches the management system of claim 21, wherein said data comprises said indication of said configuration information (col. 6, lines 39-50, col. 6, lines 62-66).

27. As to claim 23, Lortz teaches the management system of claim 17, wherein the management server determines a value of at least one parameter identified in said indication of said configuration information (col. 6, lines 28-38).

28. As to claim 24, Lortz teaches the management system of claim 23, wherein the management server transmits the value of the at least one parameter to the communication device (col. 5, lines 44-50).

29. Claims 6, 7, and 25-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lortz et al.**, (Lortz) U.S Patent No. **6,505,243**.

30. As to claim 6, Lortz teaches the communication device of claim 1 as shown above. Lortz does not explicitly teach wherein the function comprises at least one of a Wireless Application Protocol (WAP) functionality and an electronic mail functionality.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the use of Wireless Application Protocol (WAP) into the invention of Lortz because it is a global standard for enabling wireless devices to access Internet and other information services and Lortz readily incorporates wireless technologies (col. 2, lines 28-32).

Art Unit: 2155

31. As to claims 7, 25 and 26 Lortz teaches the communication device of claim 1 as shown above. Lortz does not explicitly teach wherein the communication device transmits the indication of the needed configuration information and receives the response from the management server using Extensible Mark-up Language (XML).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the use of Extensible Mark-up Language (XML) into the invention of Lortz because it offers greater flexibility in organizing and presenting information that is possible with the older HTML document coding system which is readily incorporated into the invention of Lortz (col. 8, lines 49-57).

Conclusion

32. The Prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Malik et al., U.S. Patent No. 5,832,503, teaches a method and apparatus for configuration management in communications networks.
- b. Reichmeyer et al., U.S. Patent No. 6,286,038, teaches a method and apparatus for remotely configuring a network device.
- c. Paul, U.S. Patent No. 6,687,817, teaches configuration of a network device via the network.

Art Unit: 2155

d. Collin et al., U.S. Patent No. 6,330,597, teaches a method and apparatus for monitoring, controlling, and configuring remote communication devices.

e. Ylonen, U.S. Patent No. 6,782,474, teaches a network connectable device and method for its installation and configuration.

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
December 6, 2004




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SUPERVISORY PATENT EXAMINER